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July 19, 2016

Via ECF

The Honorable Paul D. Gardephe
United States District Judge
Southern District of New York
40 Foley Square, Room 2204
New York, New York 10007

**Re: Verdi v. City of New York et al.,
No. 16-cv-3782 (PGG) (S.D.N.Y.)**

Your Honor:

I am an Assistant Attorney General in the Office of Eric T. Schneiderman, Attorney General of the State of New York. I write on behalf of defendant Assemblyman Jeffrey Dinowitz to request a 45-day extension of time -- from July 26, 2016 (the date indicated on the Court's docket) to September 9, 2016 -- for him to answer, move, or otherwise respond to the Amended Complaint. I also request on behalf of Assemblyman Dinowitz that the Court adjourn the conference currently scheduled for August 25, 2016 by 21 days, until September 15, 2016. Plaintiff's counsel has consented to these requests. I also have contacted counsel for the City Defendants regarding these requests, but I have not yet heard back.

Although the Office of the Attorney General ("OAG") is not presently representing Assemblyman Dinowitz in this action, these extensions are requested on his behalf, pursuant to New York Public Officers Law § 17, for the limited purpose of protecting his litigation interests and avoiding default, and is without prejudice to Assemblyman Dinowitz's rights to challenge personal or subject matter jurisdiction, to challenge the sufficiency of process or service of process, or to assert any and all other applicable defenses in this action. This enlargement of time is necessary because OAG has determined that the Assemblyman Dinowitz is entitled to representation under Public Officers Law § 17 but that representation by OAG would be inappropriate. Accordingly, OAG is certifying this case for outside counsel pursuant to Public Officers Law § 17. This certification authorizes Assemblyman Dinowitz to select a counsel of

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his choosing, upon review and approval of the New York State Comptroller. As that process has just begun, at least 45 days is necessary for it to be completed, for Assemblyman Dinowitz to retain counsel, and for that counsel to investigate and respond to the allegations in the Amended Complaint. An adjournment of the initial conference until after Assemblyman Dinowitz has responded to the Amended Complaint is warranted for these same reasons.

These are the first request for any extensions or adjournments in this action by Assemblyman Dinowitz. As noted, Plaintiff's counsel has consented to these requests, and I have contacted counsel for the City Defendants but have not yet heard back regarding these requests.

Respectfully submitted,

/s/William J. Taylor, Jr.

William J. Taylor, Jr.
Assistant Attorney General

cc: Ezra B. Glazer, Esq., *Attorney for Plaintiff*
Courtney Patrice Fain, Esq., Assistant Corporation Counsel, *Attorney for City Defendants*